



# CONTRACT USER GUIDE



## How to Use the MED38 Pharmaceutical Prime Vendor Statewide Contract

Contract #: MED38                      Contract Duration: 8/1/09 to 6/30/16  
MMARS #: MED38 \*                      Options to renew: None  
COMMBUYS PO #: PO-14-1080-OSD01-OSD10-00000001217, until Punch-out PO-15-1080-OSD01-OSD10-00000002613 go live winter 2015, see below for details  
Max End Date: 6/30/16  
Contract Manager: Peter Etzel 617-720-3397 [peter.etzel@state.ma.us](mailto:peter.etzel@state.ma.us)  
This contract contains: Supplier Diversity Program (SDP)

### Contract Summary

This contract covers all prescription and OTC (over the counter) pharmaceuticals, related pharmaceutical supply items and equipment sold by Cardinal Health, the sole (Prime) vendor drug wholesaler, for use in all healthcare settings with a DEA certificate and pharmacy license. Healthcare settings without a pharmacy license may set up an OTC only account with Cardinal Health.

### Benefits and Cost Savings

- Competitive prices
- Access to Cardinal's private label products
- Help with inventory management: when requested, Cardinal loans hand held electronic inventory units, from which Cardinal can value and print the inventory
- Cardinal has local, regional, and national experience and exposure.

### Who Can Use This Contract?

**Applicable Procurement Law:** MGL c. 7, § 22; c. 30, § 51, § 52; 801 CMR 21.00

#### Eligible Entities:

01. Cities, towns, districts, counties and other political subdivisions
02. Executive, Legislative and Judicial Branches, including all Departments and elected offices therein;
03. Independent public authorities, commissions and quasi-public agencies
04. Local public libraries, public school districts and charter schools;
05. Public Hospitals, owned by the Commonwealth;
06. Public institutions of high education
07. Public purchasing cooperatives;
08. Non-profit, UFR-certified organizations that are doing business with the Commonwealth;
09. Other states and territories with no prior approval by the State Purchasing Agent required; and
10. Other entities when designated in writing by the State Purchasing Agent.

### Pricing and Purchase Options (All Categories)

#### Purchase Options:

Purchases made through this contract will be direct outright purchases.

*Purchasers not using Cardinal online ordering: All orders placed under this contract must include the following statement: "This order is placed under Statewide Contract MED38" Otherwise, the order will not be considered "use of a Statewide Contract" for procurement purposes. In addition it is recommended that the*

following language be included: “All of the terms and conditions of the Statewide Contract MED38 are incorporated herein and made a part hereof. Conflicting or additional terms, conditions or agreements included in or attached to this form shall be considered to be superseded and void.”

### **Pricing and buying details**

For purchaser job aids, click here: [COMMBUYS Purchasing Job Aids](#).

General Hint - One way to find this SWC is with “Advanced Search” entering the contract number (three letters two digits) in the “Description” field.

The exact purchase price of a drug is viewable in Cardinal Health's electronic catalog or on Order Express through the COMMBUYS punch-out PO. For most products, the purchase price is Cardinal's acquisition cost minus a percentage based on payment timing. Cardinal's standard pricing is cost minus 2.97% for 45 day payment. Lower prices are available for users that pre-commit with Cardinal to make earlier payments: cost minus 3.34% for 30 day payment; or cost minus 3.53% for 22 day payment; or cost minus 3.67% for 15 day payment; or cost minus 3.77% for 9 day payment; or cost minus 3.81% (-4.10% in two year extension 7/1/14-6/30/16) for 7 day payment. The State Office of Pharmacy Services (SOPS) Tewksbury Central Distribution Center Pharmacy (CDCP), the primary purchaser of pharmaceuticals, has committed to the 7 day payment term. If no acquisition price is established, then the item's acquisition price will never exceed the drug's manufacturer published Wholesale Acquisition Cost (WAC), an industry standard price to a wholesaler.

When a purchaser requests that Cardinal order a product it does not carry or list on its online catalog to be dropped shipped directly from a manufacturer to the purchaser, Cardinal's percentage will be zero percent (0%) in determining the Net Price. This means the purchaser would pay Cardinal the same price the manufacturer charged Cardinal.

## **Additional Information**

### **Geographic service and delivery areas**

Cardinal Health will be able to provide the requested service(s) throughout the Commonwealth.

### **Group Purchasing Organization (GPO)**

A group purchasing organization is an entity that helps healthcare providers — such as hospitals, nursing homes and home health agencies — realize savings and efficiencies by aggregating purchasing volume and using that leverage to negotiate discounts with manufacturers, distributors and other vendors of health supplies such as pharmaceuticals, biologics, medical/surgical equipment, laboratory supplies, and capital equipment. GPO's actively negotiate contracts with manufacturers on behalf of their members, and/or provide their members access to the purchasing contracts of other GPO's. The Commonwealth's GPO for this contract is Managed Healthcare Associates (MHA). MHA is not itself a vendor on this contract. Their roles are: establishing with manufacturers the vendor's acquisition price of a drug (from which the purchaser's net price is calculated), checking pricing for accuracy (vendor will issue credits or debits as needed), and identifying when a purchaser could have purchased a less expensive drug. The State Office for Pharmacy Services (SOPS) handles these pricing transactions for all facilities under its control. Further information on GPOs from their association is posted on the Forms and Terms tab of the Contract.

### **Product Specifications**

- All items sold under this contract will be compliant with all applicable Federal laws and regulations such as FDA 21 CFR at time of sale; and all applicable Commonwealth of Massachusetts Laws and Regulations; and when applicable meet City of Boston Fire Code standards.
- Cardinal will not deliver pharmaceuticals with an expiration date of less than six (6) months without permission of the chief pharmacist or designee at a purchaser.
- Cardinal will primarily ship orders in sealable plastic totes that will be picked up by Cardinal and reused for future deliveries.
- Cardinal will provide adhesive shelf barcode labels that have the SKU and description of the drug with each order, or when requested by Purchasing Entities.

## Ordering

An account must be established with Cardinal Health prior to placing orders. In order to purchase prescription products, a purchaser must have a licensed pharmacy and DEA certificate and the address of that license is where they must be delivered. Some facilities obtain prescription products from the State Office for Pharmacy Services (SOPS). Healthcare settings without a pharmacy license may set up an OTC only account with Cardinal Health.

## Punch-out Ordering

Punchouts are COMMBUYS connections developed with specific sellers that allow buyers to 'punchout' to a seller's online shopping website to search for and choose the desired items. Once items are selected, the buyer transfers these items to COMMBUYS to start a release requisition. Use of a punch-out is covered in more detail in the Job Aid "Purchase from a Vendor Online Punchout G2B Catalog" on [Job Aids for Purchasers](#).

Use of the Cardinal COMMBUYS punch-out PO (go live planned winter 2015) requires a Cardinal Order Express account.

Cardinal will not fill backorders unless specifically requested by a purchaser.

## SOPS & Shattuck Hospital

When the COMMBUYS Request for Payment Authorization (RPA) is activated, use it to document purchases from PO-14-1080-OSD01-OSD10-00000001217 after the fact based on authorization to order outside of COMMBUYS.

## Other COMMBUYS Purchasers

Use one of the line items in PO-14-1080-OSD01-OSD10-00000001217 until Punch-out PO-15-1080-OSD01-OSD10-00000002613 becomes an option for COMMBUYS users (go live planned winter 2015).

Once the Punch-out is live, all Executive Departments of the Commonwealth must use it for prescription and over the counter pharmaceuticals and pharmaceutical related items available through Cardinal Health Pharmaceutical Division. It will connect to Cardinal's Order Express system (requires prior account set up).

For Pharmaceutical Equipment items supplied by other Cardinal Divisions please continue to use PO-14-1080-OSD01-OSD10-00000001217 Line Item # 2: "For the purchase of pharmaceutical industry machinery, equipment and related supplies."

## Delivery

All deliveries containing prescription drugs must be made directly to the Pharmacy. No Delivery Fuel or other Surcharges will be assessed to the Commonwealth.

**SOPS CDCP** - The SOPS CDCP at Tewksbury has specific delivery requirements that are different from other locations purchasing from the Contract. The CDCP must receive same day delivery of orders placed by 11AM with delivery made before 3 PM the same day. The CDCP must receive next day delivery before 8 AM for orders placed before 8 PM the previous day. All deliveries will be Monday through Friday at the CDCP with the exception of major holidays when Cardinal is closed.

**Other Sites** -Cardinal will provide next day delivery Monday through Friday for orders placed before 8 PM with the exception of major holidays when Cardinal is closed, in which case delivery must be made on the next business day. Deliveries will be made before 10 AM.

**Drop Ship** - When a purchaser orders a product that Cardinal routinely carries or is Cardinal's online catalog and Cardinal has it dropped shipped directly from the manufacturer to the purchaser, Cardinal will use the standard price % for the purchaser. The purchaser must give permission for routine drop ships.

When a purchaser requests that Cardinal order a product it does not carry or list on its online catalog to be dropped shipped directly from a manufacturer to the purchaser, Cardinal's percentage will be zero percent (0%) in determining the Net Price. This means the purchaser would pay Cardinal the same price the manufacturer charged Cardinal.

**Drop Ship for DPH TB Control Program** - Cardinal will provide Department of Public Health's TB Control Program with drop ships to their TB clinics and depots when requested.

**Emergency Delivery** - Cardinal will provide emergency delivery. Cardinal may add the actual cost of the delivery service to the Net Price providing Cardinal notified the purchaser prior to shipping the order.

**Minimum Order Free Delivery** - For any order of \$100 or more Delivery is free. The purchaser has the option of approving a delivery charge of \$20 for orders under \$100.

#### Returns -

Items ordered or shipped in error in original packaging and in saleable condition may be returned for full credit if Cardinal is notified within 7 calendar days of the delivery date. No shipping costs or restocking charges will be assessed to the Commonwealth and pickup will be within 3 calendar days of the request. The State Board of Pharmacy Services may establish additional agreements for return of saleable drugs.

## Where to Find Contract Information on COMMBUYS

To find in depth Master Blanket Purchase Order (MBPO) information: on the [COMMBUYS](#) login page click on the "Contract & Bid Search" link, click the Contracts/Blankets button, enter MED38 in the Contract/Blanket Description, (if you have logged in and see a box labelled "Header Major Status" –use the dropdown menu to select "3PS-Sent"), then all users click the "Find It" button, to see all MBPO's. You will see the MBPO's listed above. If you see a "vCurrent" MBPO, it is historical information from the prior COMM-PASS system. Click the link you want to see. The Contract User Guide and RFR are posted with the MBPO.

## Strategic Sourcing Team Members

Name	Organization	Email Address
Edward Cavallari	State Office of Pharmacy Services	<a href="mailto:Edward.Cavallari@State.MA.US">Edward.Cavallari@State.MA.US</a>
David Pularo-Spazioso	State Office of Pharmacy Services	<a href="mailto:David.Pularo-Spazioso@State.MA.US">David.Pularo-Spazioso@State.MA.US</a>
Donald Rogers	State Office of Pharmacy Services	<a href="mailto:Donald.Rogers@State.MA.US">Donald.Rogers@State.MA.US</a>

## Vendor List and Contract Information

The sole Contractor is listed below. Supplier involvement in any of the following programs will have the appropriate three to four letter code at the end of the vendor listing. Programs include Small Business Purchasing Program (SBPP), Supply Diversity Office Certification (SDO, Formerly SOMWBA Certification), Supplier Diversity Program (SDP, Formerly AMP), Environmentally Preferable Products Program (EPP), and Prompt Pay Discount (PPD):

Sole Vendor	Contact Name	Phone Numbers	Email	Program
<b>Cardinal Health 110 Inc. and Cardinal Health 411 Inc.</b>	Customer Service	800-926-3161 FAX 866-551-0530	<a href="mailto:government-pharma@cardinalhealth.com">government-pharma@cardinalhealth.com</a>	SDP

Detailed vendor information is available on [COMMBUYS](#), click on the "Registered Vendor Search" link.  
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